

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

1. JULIE HUDGINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 16-CV-308-KEW
	)	Adair County
1. THE STILWELL AREA	)	Case No. CJ-16-35
DEVELOPMENT AUTHORITY,	)	
	)	
2. BILL GARRETT,	)	
	)	
3. ROSS ROYE, and	)	
	)	
4. MARILYN HILL-RUSSELL,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

Defendants, The Stilwell Area Development Authority (SADA), Bill Garrett, Ross Roye and Marilyn Hill-Russell, give notice that this action is removed from the District Court of Adair County, Oklahoma, Case No. CJ-16-35, to the United States District Court for the Eastern District of Oklahoma pursuant to 28 U.S.C. §1441 (a) and (c) and §1446 (a) and (b). In support of this Notice of Removal, Defendants state as follows:

1. On June 3, 2016, Plaintiff filed this action against Defendants in the District Court of Adair County, Case No. CJ-16-35. Pursuant to Local Rule 81.2, a copy of the state court docket sheet, along with copies of all documents and pleadings filed and served in this case and of record in the District Court of Adair County are attached to this Notice as Exhibits 1 through 6.

2. Jurisdiction and venue are proper in this Court, pursuant to 28 U.S.C. §§1331, 1391 (b) and 1446 (b), since the Second Cause of Action of the Petition asserts a claim arising under the United States Constitution, specifically a claim of alleged violations of Plaintiff's constitutionally protected free speech and due process interests. Although the Petition does not specifically reference the Fourteenth Amendment to the United States Constitution as the basis of the claims, the Petition does invoke the provisions of 42 U.S.C. §1983 as the basis for assertion of those claims. Venue is proper in this Court, since Plaintiff and Defendants are located within the Eastern District of Oklahoma. Federal Courts have original jurisdiction over claims brought for an alleged violation of the United States Constitution, pursuant to 28 U.S.C. §1331.

3. Although the Petition purports to assert additional claims against the Defendants, the claims asserted are so related to the above-described federal claims that they form part of the "same case or controversy" and thus fall within this Court's original jurisdiction pursuant to 28 U.S.C. §1367.

4. This Notice of Removal will be timely filed with the Clerk of the Court for the District Court of Adair County, pursuant to 28 U.S.C. §1446.

5. All Defendants named in this action consent to the removal of the case to this Court.

6. Service of Process was accomplished on Defendants Garrett and Royce on June 22, 2016. Service of Process was accomplished on Defendant Hill-Russell on July 1, 2016. Service of Process was accomplished on Defendant SADA on July 5, 2016. As such, this Notice of Removal is filed within 30 days of service of a pleading containing grounds for removal and thus removal is timely pursuant to 28 U.S.C. §1446.

Respectfully submitted,

/s/ John J. Love  
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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF filing system for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Kristopher E. Koepsel  
502 West 6<sup>th</sup> Street  
Tulsa, Oklahoma 74119-1010

/s/ John J. Love  
John J. Love